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Message Text

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12
ACTION EUR-12

INFO OCT-01 ISO-00 CU-02 SS-15 L-03 /033 W
---------- 114797
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FM AMEMBASSY SOFIA
TO SECSTATE WASHDC PRIORITY 115
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E.O. 11652: N/A
TAGS: OEXC, PFOR, SCUL, BU
SUBJECT: COMMENTS ON PROPOSED CULTURAL/SCIENTIFIC EXCHANGE AGREEMENT

REF: STATE 201490

1. WE CONSIDER THE DEPARTMENT'S DRAFT IN REFTEL TO BE BASICALLY NEGOTIABLE ALTHOUGH IN SOME RESPECTS IT IS UNNECESSARILY FAR REMOVED FROM THE DRAFT GIVEN TO US BY THE BULGARIANS LAST YEAR. WE UNDERSTAND WASHINGTON PROBABLY FOUND IT NECESSARY TO PATTERN OUR DRAFT ON THE U.S.-ROMANIAN AGREEMENT. BULGARIANS THEREFORE WILL PROBABLY NEED MORE TIME TO RESPOND THAN WOULD HAVE BEEN THE CASE IF WE HAD WORKED BY OFFERING AMENDMENTS TO THE KIND OF AGREEMENT THAT THEY HAVE CONCLUDED WITH OTHERS.

2. AS WASHINGTON IS AWARE, DRAFTS CONTAIN TWO SIGNIFICANT CONCEPTUAL DIFFERENCES, (A) ON FUNDING (BULGARIAN ARTICLE IV), ON WHICH WE CANNOT COMPROMISE BUT WHICH CAN PERHAPS BE SIDESTEPED AS PROPOSED IN PARA 5 BELOW; AND (B) ON THEIR DESIRE FOR A "JOINT COMMISSION" (BULGARIAN ARTICLE V), WHICH WE THINK CAN ALSO BE RESOLVED AS EXPLAINED PARA 6 BELOW.

3. BY ALMOST TOTALLY IGNORING THE BULGARIAN DRAFT, WE HAVE MADE THE NEGOTIATING JOB MORE DIFFICULT, BUT IT REMAINS TO BE SEEN HOW WEDDED BULGARIANS ARE TO THEIR
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LANGUAGE AND DEGREE OF SPECIFICITY. PRESUMABLY THEIR

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DRAFT RECEIVED INTERNAL (I.E., PARTY) CLEARANCE. OUR
DRAFT IN SOME RESPECTS IS MUCH MORE SPECIFIC, THUS
MAY BE MORE DISAGREEABLE TO OPPONENTS OF EXPANDED U.S.
INFORMATION/CULTURAL ACTIVITIES IN AND WITH BULGARIA.
(SEE PARTICULARLY OUR ARTICLE I, PARA 2, COVERING USIA
ACTIVITIES, WHICH HAS NO COUNTERPART IN BULGARIAN DRAFT.)
WE THUS FORESEE TIME-CONSUMING NEGOTIATIONS, AND WILL BE
SUITABLY GIRDED FOR BATTLE.

4. SINCE AN ADDITIONAL PROGRAM DOCUMENT IS NEEDED
TO MAKE THE AGREEMENT COME ALIVE, WE RECOMMEND THE TWO
BE NEGOTIATED CONCURRENTLY AND SIGNED SIMULTANEOUSLY.
IN LIGHT OF FOREIGN MINISTER MLADENOV'S WILLINGNESS
LAST NOVEMBER TO DRAW UP SUCH A LIST OF ACTIVITIES
(SOFIA 1985), WE ANTICIPATE NO SERIOUS DIFFICULTIES WITH
BULGARIANS IN REACHING AGREEMENT ON MINIMUM LEVEL OF
ACTIVITIES FOR AN INITIAL YEAR. FIRST, HOWEVER, U.S.
SIDE MUST KNOW WHAT IT IS WILLING AND ABLE TO DO. OUR
THOUGHTS WILL BE SUBMITTED SEPARATELY.

5. BULGARIANS WILL NOTE OUR DRAFT AGREEMENT DOES NOT
COVER NAS AND IREX, WHICH ARE CURRENTLY OPERATING IN
BULGARIA, WHILE ITS UMBRELLA IS SPREAD OVER NSF, WHICH
IS NOT. WE UNDERSTAND THE RATIONALE. HOWEVER, SINCE
FACT THAT NAS AND IREX ARE NOT "FULL-FLEDGED GOVERNMENT
ORGANIZATIONS" HAS NO LOCAL SIGNIFICANCE, BULGARIANS MAY
SEE THIS DISTINCTION AS IMPLYING USG DESIRE TO CHANGE
RADICALLY CONTENT OF CURRENT ACTIVITIES, WHICH IS NOT
OUR INTENTION. (FYI: WE HOPE, IN FACT, TO EXPAND
IREX SCOPE TO COVER INCREASED ACADEMIC EXCHANGES AS
RESULT OF NEGOTIATING THIS AGREEMENT. TEACHING FACULTY,
HOWEVER, SHOULD COME UNDER "FULBRIGHT" AUSPICES, TO
PROVIDE JUSTFICATION FOR CONTINUING EMBASSY INVOLVEMENT
WITH AMERICAN INSTRUCTORS AT BULGARIAN UNIVERSITIES.)
MOREOVER, NAS AND IREX AGREEMENT EMBODY BULGARIAN
PRINCIPLE ON FUNDING (RECEIVING STATE FUNDS IN-COUNTRY
EXPENSES); CITING THEM IN "UMBRELLA" MIGHT HELP RESOLVE
THIS ISSUE. WE THEREFORE SHOULD BE PREPARED IN PROCESS
OF NEGOTIATIONS AT LEAST TO INCLUDE ARTICLE PLEDGING
"APPROPRIATE MEASURES" TO CARRY OUT NAS AND IREX AGREE-
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MENTS. WE NOTE AGREEMENTS WITH NON-GOVERNMENTAL BODIES
ARE LISTED IN 1973 U.S.-USSR CULTURAL AGREEMENT.

6. ALTHOUGH WE UNDERSTAND WASHINGTON'S DISTASTE FOR
JOINT COMMISSIONS, ALL OTHER WESTERN COUNTRIES HAVING
CULTURAL AGREEMENTS WITH BULGARIA SEEM TO HAVE FALLEN
IN WITH BULGARIAN PREDILECTION. IS
IT REALLY WORTHWHILE FOR US TO BE THE LONELY HOLDOUT?

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WHILE WE DO NOT RECOMMEND CHANGING THE INITIAL
U.S. DRAFT, WE THINK IT WILL BECOME DESIRABLE DURING
NEGOTIATIONS TO INCLUDE IN OUR DRAFT ARTICLE V
LANGUAGE STRENGTHENING ROLE OF "DESIGNATED REPRESENTATIVES,"
BY STATING THEY WILL PREPARE PERIODIC PROGRAMS OF
SPECIFIC DURATION, WHICH WILL BE AUTOMATICALLY RENEWED
UNLESS MODIFIED BY MUTUAL AGREEMENT. THE ISSUE THEN
BECOMES LARGELY SEMANTIC.

7. IN HIS CONVERSATION AUG 27 WITH FONMIN MLADENOV,
AMBASSADOR MENTIONED U.S. SIDE WILL PRESENT ITS VIEWS
ON SCIENTIFIC-TECHNICAL-CULTURAL AGREEMENT SHORTLY,
AS PROMISED BY SECRETARY IN HELSINKI. MLADENOV EXPRESSED
HOPE NEGOTIATIONS WOULD START IMMEDIATELY UPON RECEIPT
OF U.S. DRAFT.
HERZ

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